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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,821	09/25/2003	Wen Chun Chang	59629-8010.US01	6925
22918	7590	09/20/2005	EXAMINER	
PERKINS COIE LLP			GANEY, STEVEN J	
P.O. BOX 2168			ART UNIT	
MENLO PARK, CA 94026			PAPER NUMBER	

3752

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/671,821

Applicant(s)

CHANG, WEN CHUN

Examiner

Steven J. Ganey

Art Unit

3752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities: Throughout the specification there are many grammatical errors and spelling errors too numerous to mention. It is clear that the English language is not the applicant's first language and therefore, the translation is not proper or consistent. Here are a few examples, page 4, line 9, the use of the term "equips" throughout the specification is improper and should be changed to --equipped-- is proper grammatical form. Page 5, line 23, the word "The" is should be changed to --the--. On page 6, lines 25-28, the sentence is not clearly written and it is not understood. On page 27, the term "filter" should be deleted. On page 6, line 28, the use of the term "pipe roller" is inconsistent with the accepted meaning, language such as --hose reel-- or flexible pipe reel-- should be used throughout. The use of the term "handler" throughout should be changed to --handle--.

Appropriate correction is required.

2. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 1-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

In claim 1, line 10, "the water" or "mixing water" lack antecedent basis. Is the storage tank for water?

In claim 1, lines 13 and 14, a "high pressure pipe" is recited, however, it is indefinite since it appears to be claiming a rigid pipe, however, in the specification is recited as a flexible pipe and later is recited as being rolled up.

In claim 1, line 18, the phrase "pipe roller" and "handler" should be changed to --hose reel-- or --flexible pipe reel-- and --handle--, since it currently appears to be claiming a pipe roller such as those used to bend metal or rigid pipes.

In claim 1, line 20, "said nozzle" should be changed to --each of said plurality of nozzles-- in order to provide proper antecedent basis.

In claim 1, lines 25 and 26, the limitation is not clearly written and is indefinite.

In claim 1, line 30, the use of the term "etc." is indefinite since it does not further define was is being claimed.

In claims 16 and 17, the recitations of "1 to 4" and "3 to 5" are indefinite since it is not clear what the range is defining.

*Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-24 (as best understood) are rejected under 35 U.S.C. 103(a) as being unpatentable over Baughman in view of Aslakson.

Baughman shows a spray generating apparatus comprising all the featured elements of the instant invention, except for a hose reel and storage boxes for the nozzles and water guns. Aslakson shows a spray generating apparatus having a hose reel 78 and storage boxes 56 and 58. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a hose reel and storage boxes for the apparatus of Baughman since with such a modification storage and retrieval of the hose would be made easier and the equipment could all the self contained within the unit.

As to claim 7, the power source of Baughman could be changed to an electric motor depending on the type of engine desired for the particular use and area of use.

As to claims 18 and 19, such nozzle arrangements are well known in the spraying art and either arrangement would perform equally as well in the apparatus of Baughman.

*Conclusion*


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. You and Shaffer show different types of spray apparatuses. Massey and Ackley show various types of spray nozzle arrangements.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven J. Ganey whose telephone number is (571) 272-4899. The examiner can normally be reached on Monday, Tuesday, Wednesday, and Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Scherbel, can be reached on (571) 272-4919. The fax phone number for this Group is (571) 273-8300.

sjg

9/19/05

  
STEVEN J. GANEY  
PRIMARY EXAMINER  
9/19/05